

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

GRAMERCY INSURANCE COMPANY	:	
5000 Quorum Drive, Suite 111	:	
Dallas, TX 75254	:	Civil Action No. 3:12-CV-509
 Plaintiff,	:	 Judge Haynes
 v.	:	
EXPEDITOR'S EXPRESS, INC.	:	
P.O. Box 79	:	
Madison, TN 37116	:	
 and	:	
JOHN TULLIS	:	
616 Kinsey Blvd.	:	
Madison, TN 37115	:	
 and	:	
WILLIAM LITTLEFIELD	:	
dba LITTLEFIELD BROTHERS,	:	
a sole proprietorship	:	
242 West Main Street, #387	:	
Hendersonville, TN 37075	:	
 and	:	
SHIRLEY A. BROWN, Administrator	:	
of Estate of Donald D. Underwood	:	
169 N. Imperial Drive	:	
Denison, TX 75020	:	
 Defendants.	:	

PLAINTIFF'S MOTION FOR JUDGMENT ON THE PLEADINGS

Gramercy Insurance Company, pursuant to Rule 12 of the *Federal Rules of Civil Procedure*, moves the Court for judgment on the pleadings. All relevant facts have been established by the pleadings in this declaratory judgment action. The trucker's policy issued by Gramercy Insurance Company to Expeditor's Express, Inc. [Doc. 10] does not provide coverage to Expeditor's Express, Inc., or any other party, for the claim presented by Shirley A. Brown, Administrator of the Estate of Donald D. Underwood, arising out of a vehicular accident which

occurred on August 5, 2010 in which Mr. Underwood lost his life. The position of Gramercy Insurance Company is more fully set forth in the accompanying Memorandum in Support. Gramercy Insurance Company moves the Court for judgment on the pleadings that the policy provides no coverage for claims against Expeditors Express, Inc. and others arising out of the accident and the death of Mr. Underwood.

Respectfully submitted,

**LEITNER, WILLIAMS, DOOLEY
& NAPOLITAN, PLLC**

By: s/Steven W. Keyt
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CERTIFICATE OF SERVICE

I, the undersigned attorney, do hereby certify that the foregoing document was filed electronically with the Clerk of the Court using the CM/ECF system, which shall send notification of such filing to the following:

Grace E. Daniell, Esq.
620 Lindsay Street, Suite 210
Chattanooga, TN 37403

Via U.S. Mail
William Littlefield
1023 Fontaine Drive
Goodlettsville, TN 37072

Via U.S. Mail
John Tullis
616 Kinsey Blvd
Madison, TN 37115

This 30th day of October, 2012.

By: s/Steven W. Keyt